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FEB 13 2004

February 12, 2004

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street S.W.
Washington, D.C. 20554

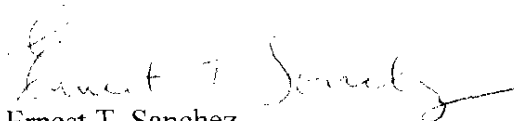
Re: Black Entrepreneur Association, Inc.
Amendment of Section 73.202(b)
Table of Allotments
FM Broadcast Stations
(Wickenburg, Arizona)

Dear Ms. Dortch:

On behalf of Black Entrepreneur Association, Inc., we hereby file an original and four (4) copies of this Petition for Rulemaking.

Please let me know if you have any questions about this filing.

Sincerely,



Ernest T. Sanchez
Counsel for Black Entrepreneur Association, Inc.

cc: Black Entrepreneur Association, Inc.

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BEFORE THE
Federal Communications Commission

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of

Amendment of Section 73.202(b))
Table of Allotments,)
FM Broadcast Stations.)
(Wickenburg, Arizona))

To: Chief, Allocations Branch

PETITION FOR RULEMAKING

BLACK ENTREPRENEUR ASSOCIATION, INC ("BE") requests the allocation of Channel 229C3 93.7 to Wickenburg, Arizona as its third local FM allotment. Wickenburg has a population of 5,082 (census 2000). It is located in Maricopa County in central Arizona.

Channel 229C3 can be allocated to Wickenburg with a site restriction of 16.6 kilometers SW at a proposed site of NL: 33-53-49/WL: 112-54-45. See attached engineering study. The proposal fully complies with the Commission's spacing requirements.

BE proposes that the Commission's Table of Allotments 73.202 be amended as follows:

	<u>Present</u>	<u>Proposed</u>
Wickenburg, Arizona	242C3, 287C2	229C3, 287C2, 242C3

In the event Channel 229 is allocated to Wickenburg, Arizona, BE will file an application for a construction permit and if granted will build the station.

Respectfully submitted,

BLACK ENTREPRENEUR ASSOCIATION, INC

By: Ernest T. Sanchez
Ernest T. Sanchez
Its Counsel

The Sanchez Law Firm
2300 M Street NW, Ste. 800
Washington, DC 20037
(202) 237-2814

February 12, 2004

KLEIN BROADCAST ENGINEERING, L.L.C.

dedicated to improving the science and technology of radio & television communications

**ENGINEERING STATEMENT
&
EXHIBIT
IN SUPPORT of PETITION for RULEMAKING
Filed By
BLACK ENTREPRENEUR ASSOCIATION
At
WICKENBURG , ARIZONA**

ABSTRACT

The engineering exhibits found herein were prepared by the firm of KLEIN BROADCAST ENGINEERING, L.L.C., in support of a Petition for Rulemaking being filed with the Federal Communications Commission by Black Entrepreneur Association.

The geographic coordinates found in this engineering statement are from the North American Datum 1927 (NAD27). The reference coordinates for the community specified was obtained from the U.S. Census Bureau, Gazetteer of "Places" in the United States. This database may be found at: <http://ftp.census.gov/geo/www/gazetteer/places.html>.

WICKENBURG, ARIZONA

FM CHANNEL 229 C3 / 93.7 mHz. is proposed for allotment to this community. FM Channel 229 C3 / 93.7 mHz. may be assigned in accordance with 47 C.F.R. Section 73.207 of the Rules and Regulations of the Federal Communications Commission with a site restriction of 16.6 kilometers SW of the proposed Principal Community of Wickenburg, Arizona, using the following geographic reference coordinates:

NL:33-53-49 / WL:112-54-45

ENGINEERING STATEMENT cont'd page two: FM Channel 229 C3 Wickenburg, AZ

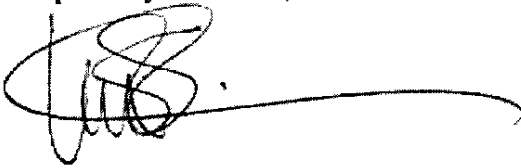
The 70dBu f(50,50) contour of a maximum Class C3 facility extends 23.3 kilometers distant from the transmitter site. Therefore, there is no question that this proposed allotment will provide the entire Principal Community, Wickenburg, Arizona, with the required "City Grade" 70dBu service in compliance with 47 C.F.R. Section 73.315 of the Rules and Regulations of the Federal Communications Commission.

Engineering Exhibit E-1 is a complete FM Channel Spacing Study that shows the proposed allotment can be made in accordance with 47 C.F.R. Section 73.207 of the Rules and Regulations of the Federal Communications Commission. As may be seen in this exhibit, it appears the proposed allotment of FM Channel 229 C3 to Wickenburg, Arizona, is short spaced to FM Broadcast Station KSWG at the same community. However, several months ago Station KSWG changed channels to FM Channel 242C3 to which it is now licensed. The FCC CDBS Database should show the deletion of FM Channel 231 C3 at Wickenburg, Arizona, as a result of this channel change for Station KSWG. As a result of this channel change FM Channel 229 C3 may be allotted to the Principal Community of Wickenburg, Arizona, in compliance with 47 C.F.R. Section 73.207 of the Rules and Regulations of the Federal Communications Commission.

ENGINEERING STATEMENT cont'd page three: FM Channel 229 C3 Wickenburg, AZ

The engineering data presented herein supports the requested allotment of FM CHANNEL 229 / 93.7 mHz., Class C3 may be made to the proposed Principal Community of Wickenburg, Arizona, in accordance with all applicable Rules and Regulations of the Federal Communications Commission, as amended to date.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'E. Klein', with a long horizontal flourish extending to the right.

**Elliott Kurt Klein,
Consulting Broadcast Engineer**

11 February 2004

Klein Broadcast Engineering, L.L.C.

Job: KSWG New 207 Site 93.7.fmj

Master Database: 2004_JAN_09W.fmd

Lat: N33:53:49 Lon: W112:54:45 NAD-27

Channel: 229 Class: C3

Status: Addition

Channels: Co-Channel, 1st Adj, 2nd Adj, 3rd Adj, IF, TV6

Range: 100 km

Comments: See below*

Description: FCC 47 CFR 73.207 Spacing Study FM Channel 229 C3 Site Restricted 16.6km SW of Wickenburg, AZ on a bearing of 242 degrees true

EXHIBIT E-1 FM Channel 229 C3 FCC Section 73.207 Spacing Study

Page 1 of 1

Date: 2/11/2004

Callsign	City	Latitude (NAD27)	Longitude (NAD27)	State	Serv	Channel	Class	ERP	HAAT	Status	Adjacency	73 207 Min	73 207 Clear	73 215 Min	73 215 Clear	Distance	Bearing
*KSWG	WICKENBUR	N33:55:34	W112:47:40	AZ	FM	231 : 94.1 MHz	C3	6.40	197	LIC	2nd Adj	43	-31.62	37	-25.62	11.38	073
KMGN	FLAGSTAFF	N34:58:08	W111:30:28	AZ	FM	230 : 93.9 MHz	C	96.00	460	LIC	1st Adj	176	-0.47	165	10.53	175.53	047
KDKB	MESA	N33:20:04	W112:03:36	AZ	FM	227 : 93.3 MHz	C	96.00	469	LIC	2nd Adj	96	4.74	90	10.74	100.74	128
KRQQ	TUCSON	N32:14:56	W111:06:57	AZ	FM	229 : 93.7 MHz	C	91.00	619	LIC	Co-Chan	237	11.09	226	22.09	248.09	137
NEW	WICKENBUR	N33:55:34	W112:47:40	AZ	FM	229 : 93.7 MHz	DX	0.25	0	APP	Co-Chan	0	11.38	0	11.38	11.38	073
KRIT	PARKER	N34:08:30	W114:17:50	AZ	FM	230 : 93.9 MHz	C3	7.60	-47	LIC	1st Adj	99	31.76	89	41.76	130.76	282
KADD	LAUGHLIN	N35:01:58	W114:21:57	NV	FM	228 : 93.5 MHz	C1	2.75	576	LIC	1st Adj	144	39.60	133	50.60	183.60	313
NEW	AGUILA	N34:04:02	W113:21:18	AZ	FM	229 : 93.7 MHz	DX	0.01	0	APP	Co-Chan	0	45.05	0	45.05	45.05	295
NEW	SURPRISE	N33:34:06	W112:33:32	AZ	FM	229 : 93.7 MHz	DX	0.01	0	APP	Co-Chan	0	49.00	0	49.00	49.00	138
NEW	BUCKEYE	N33:34:06	W112:33:31	AZ	FM	229 : 93.7 MHz	DX	0.01	0	APP	Co-Chan	0	49.02	0	49.02	49.02	138
STAT:AD	MOHAVE VAL	N34:55:40	W114:35:51	AZ	FM	229 : 93.7 MHz	A	0.00	0	ADD	Co-Chan	142	50.56	119	73.56	192.56	306
NEW	BUCKEYE	N33:27:01	W112:35:58	AZ	FM	229 : 93.7 MHz	DX	0.08	0	APP	Co-Chan	0	57.41	0	57.41	57.41	150
NEW	CHILEAN MILL	N34:09:11	W112:19:11	AZ	FM	229 : 93.7 MHz	DX	0.02	0	APP	Co-Chan	0	61.68	0	61.68	61.68	063
NEW	CROWN CAST	N34:14:03	W112:22:04	AZ	FM	229 : 93.7 MHz	DX	0.01	0	APP	Co-Chan	0	62.68	0	62.68	62.68	053
STAT:AD	CHINO VALLE	N34:52:03	W112:33:04	AZ	FM	232 : 94.3 MHz	C3	0.00	0	ADD	3rd Adj	43	69.68	37	75.68	112.68	017
STAT:AD	CHINO VALLE	N34:52:03	W112:33:04	AZ	FM	232 : 94.3 MHz	C3	0.00	0	ADD	3rd Adj	43	69.68	37	75.68	112.68	017
K228DF	PRESCOTT	N34:29:20	W112:32:15	AZ	FM	228 : 93.5 MHz	DX	0.08	486	LIC	1st Adj	0	74.21	0	74.21	74.21	028
NEW	PRESCOTT	N34:29:24	W112:31:59	AZ	FM	226 : 93.1 MHz	DX	0.01	0	APP	3rd Adj	0	74.51	0	74.51	74.51	028
NEW	TOLLESON	N33:26:10	W112:18:10	AZ	FM	229 : 93.7 MHz	DX	0.25	0	APP	Co-Chan	0	76.22	0	76.22	76.22	132
KBUX	QUARTZSITE	N33:40:58	W114:13:59	AZ	FM	232 : 94.3 MHz	A	0.20	-49	LIC	3rd Adj	42	82.59	36	88.59	124.59	259
NEW	PRESCOTT	N34:32:38	W112:28:00	AZ	FM	232 : 94.3 MHz	L1	0.00	-40	APP	3rd Adj	0	82.70	0	82.70	82.70	030
NEW	PRESCOTT	N34:32:38	W112:28:00	AZ	FM	232 : 94.3 MHz	L1	0.00	-44	APP	3rd Adj	0	82.70	0	82.70	82.70	030
NEW	PRESCOTT	N34:32:45	W112:27:34	AZ	FM	232 : 94.3 MHz	L1	0.00	-44	APP	3rd Adj	0	83.22	0	83.22	83.22	030
K248AL	PHOENIX	N33:35:39	W112:05:12	AZ	FM	230 : 93.9 MHz	DX	0.01	0	APP	1st Adj	0	83.56	0	83.56	83.56	114
NEW	GLENDALE	N33:35:40	W112:05:10	AZ	FM	231 : 94.1 MHz	DX	0.02	0	APP	2nd Adj	0	83.60	0	83.60	83.60	114
NEW	PHOENIX	N33:32:01	W112:07:18	AZ	FM	229 : 93.7 MHz	DX	0.25	0	APP	Co-Chan	0	83.64	0	83.64	83.64	119
NEW	PHOENIX	N33:32:01	W112:07:18	AZ	FM	229 : 93.7 MHz	DX	0.25	0	APP	Co-Chan	0	83.64	0	83.64	83.64	119
NEW	PRESCOTT	N34:34:29	W112:28:45	AZ	FM	232 : 94.3 MHz	L1	0.00	122	APP	3rd Adj	0	85.13	0	85.13	85.13	028
NEW	PRESCOTT	N34:33:12	W112:24:53	AZ	FM	232 : 94.3 MHz	L1	0.00	342	APP	3rd Adj	0	86.06	0	86.06	86.06	032
KCLB-FM	COACHELLA	N33:48:07	W116:13:27	CA	FM	229 : 93.7 MHz	B	26.50	197	LIC	Co-Chan	211	95.69	178	128.69	306.69	268
KCLB-FM	COACHELLA	N33:52:14	W116:13:39	CA	FM	229 : 93.7 MHz	B	50.00	118	APP	Co-Chan	211	95.71	178	128.71	306.71	269

* FM Broadcast Station KSWG, Wickenburg, AZ, has vacated FM Channel 231C3 and is now operating on FM Channel 242 C3.